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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,041	01/10/2000	JEFFERSON B. BURCH	10982344	3831

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AGILENT TECHNOLOGIES, INC.
INTELLECTUAL PROPERTY ADMINISTRATION, LEGAL DEPT.
P.O. BOX 7599
M/S DL429
LOVELAND, CO 80537-0599

EXAMINER

BUI, BRYAN

ART UNIT	PAPER NUMBER
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2857

DATE MAILED: 12/11/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/480,041

Applicant(s)

BURCH

Examiner

B. Bui

Group Art Unit

2852

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 11/10/00
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1 - 14 is/are pending in the application.
- ☐ Of the above claim(s) is/are withdrawn from consideration.
- ☐ Claim(s) is/are allowed.
- ☒ Claim(s) 1 - 14 is/are rejected.
- ☐ Claim(s) is/are objected to.
- ☐ Claim(s) are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 6, and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eidson (U.S. Patent No. 6,205,362).

3. With respect to claims 1, 2, 6, 8, and 10-11, Eidson teaches a distributed system comprising a set of nodes that communicate via a network, a set of node applications distributed among the nodes (see e.g. Figure 1); generating a time stamp record for each of a set of significant events associated with one or more node applications include a synchronized clock to provide a synchronized time base across the nodes (see, e.g. column 3, lines 23+). It should be noted that the significant events are considered as any events which cause to change/interactive between software components. Therefore, Eidson commonly indicate the significant events such reboot, shutdown, etc.

With respect to claim 9, Eidson further teaches function for starting and stopping the time stamp records (see, e.g. column 5, lines 23-35).

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4. Claims 3-5, 7, and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eidson (U.S. Patent No. 6,205,362) in view of Eidson (U.S. Patent No. 5,566,180).

Eidson ('362) teaches the features of the invention, and further include component node which comprises a memory for storing the events, configuration messages in the application controls in a distributed control system that implemented with programmable logic controllers using self describing packets including time stamps (see, e.g. column 1, lines 11-32, column 10, lines 41-55). Eidson ('362) does not expressly disclose the read and write time value in local event log. Eidson ('180) teaches this limitation (see, e.g. Figure 6, blocks 22, 26 and column 5, lines 3+). It would have been obvious to one of ordinary skill in the art to modify the invention as taught by Eidson ('362) to include a read and write time value into a local event log that holds the corresponding time stamp records of Eidson ('180), because Eidson ('180) teaches a precise manner of a reading and writing the time value in a local log as the corresponding the time stamp records.

With respect to claims 12-14, Eidson ('362) teaches the features of the invention except generating a graphical represent of the time stamp records; determining a set of delays, and correcting the time stamp records in response to the delays. Eidson ('180) teaches these

column 7, line 10 to column 8, line 23). It would have been obvious to one of
modify the invention as taught by Eidson ('362) to include these
on ('180), because Eidson ('180) teaches a precise manner of

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generating a graphical of the time stamp records, determining a set of delays in execution of the node applications, and correcting the time stamp records.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The reference of Eidson (U.S. Patent No. 6,205,362) discloses a constructing applications in distributed control systems using components having built-in behaviors.

The reference of Eidson (U.S. Patent No. 5,566,180) discloses a method for recognizing events and synchronizing clocks.

The reference of Crater et al. (U.S. Patent No. 5,805,442) discloses a distributed interface architecture for programmable industrial control systems.

The reference of Goatly (U.S. Patent No. 6,009,530) discloses a real time clock synchronization in a telecommunications network.

The reference of Fish et al. (U.S. Patent No. 5,828,876) discloses a file system for a clustered processing system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Bui whose telephone number is (703) 305-4490. The examiner can normally be reached on Monday-Thursday from 7:00am to 4:00pm. The examiner can also be reached on alternate Fridays from 7:00am-3:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff, can be reached on (703) 308-1677.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-7382/308-7722 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

*Hand-delivered responses should be brought to Crystal Plaza 4,
Arlington. VA., Fourth Floor (Receptionist).*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



B Bui

12/6/2001